

## **REMARKS**

**[0003]** Herein "Action" or "Office Action" refers to the Office Action mailed from the U.S. Patent & Trademark Office in this instant matter dated November 14, 2007.

**[0004]** The Applicant respectfully requests entry of the following remarks and reconsideration of the subject application. The Applicant respectfully requests entry of the amendments herein. The remarks and amendments should be entered under 37 C.F.R. §1.116 as they place the application in better form for appeal, or for resolution on the merits.

**[0005]** Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1, 4-11, 13-14, 17-26, 28, 32-41, 43-47 are presently pending. Claims 1, 13, 17-24, 26, 28, 32, and 43-47 are amended herein. Claims 2-3, 12, 15-16, 27, 29-31, and 42 are withdrawn or cancelled herein. No new claims are added herein.

### **STATEMENT OF SUBSTANCE OF INTERVIEW**

**[0006]** The Examiner graciously talked with me—the undersigned representative for the Applicant—on Wednesday, April 9, 2008. Applicant greatly appreciates the Examiner's willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

**[0007]** During the interview, I discussed how the claims differed from the cited art, namely Bent. Without conceding the propriety of the rejections and in the

interest of expediting prosecution, I also proposed several possible clarifying amendments.

**[0008]** The Examiner was receptive to the proposals, and I understood the Examiner to indicate that the proposed clarifying claim amendments potentially would distinguish the claims over the cited art of record. However, the Examiner indicated that he would need to review the cited art more carefully and potentially do another search, and requested that the proposed amendments be presented in writing.

**[0009]** Applicant herein amends the claims in the manner discussed during the interview and amends the claims with additional elements or features described in the detailed description of the application. Accordingly, Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

#### **Formal Request for an Interview**

**[0010]** If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

**[0011]** Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

### **Claim Amendments**

[0012] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 13, 17-24, 26, 28, 32, and 43-47 herein.

### **Substantive Matters**

#### **Claim Rejections under §§ 102 and 103**

[0013] The Examiner rejects claims 1-3 and 5-47 under § 102. For the reasons set forth below, the Examiner has not shown that cited references anticipate the rejected claims.

[0014] In addition, the Examiner rejects claims 4 under § 103. For the reasons set forth below, the Examiner has not made a prima facie case showing that the rejected claims are obvious.

[0015] Accordingly, Applicant respectfully requests that the § 102 and § 103 rejections be withdrawn and the case be passed along to issuance. The Examiner's rejections are based upon **Bent**: *Bent, et al.*, US Patent No. 6,463,442 (issued August 31, 2004).

#### **Overview of the Application**

[0016] The Application describes a data association. Specifically, a data item has a data item property with an associated value and a user interface element has an element property with a value that can be defined by an association to the data item property. A binding definition associates the element property of the user interface element with the data item property such that an

application program which generates a user interface for display can be developed independent of the data item, and such that the data item can be developed independent of display related information corresponding to the user interface element. (Application, Abstract)

### **Cited References**

**[0017]** The Examiner cites Bent as the primary reference in the anticipation-and/or obviousness-based rejections.

#### **Bent**

**[0018]** Bent describes a container-independent data binding system that facilitates data binding by way of a binding agent object on behalf of any data consumer or data source that conforms to the necessary interfaces and protocols. The binding agent facilitates data binding and transparent data access for any object, in addition to control data verification for client-side control validation independent of a software application container, binding collection for non-data aware objects that can benefit from data binding, data conversion and formatting to control user interface displays in the context of data binding, and repeater control to facilitate a list view for visual objects, for any object that requires and requests access to these features rather than individually implementing these features without binding agent support. (Bent, Abstract)

## **Anticipation Rejections**

[0019] Applicant submits that the anticipation rejections are not valid because, for each rejected claim, no single reference discloses each and every element of that rejected claim.<sup>1</sup> Furthermore, the elements disclosed in the single reference are not arranged in the manner recited by each rejected claim.<sup>2</sup>

### **Based upon Bent**

[0020] The Examiner rejects claims 1-3 and 5-47 under 35 U.S.C. § 102(b) as being anticipated by Bent. Applicant respectfully traverses the rejections of these claims. Based on the reasons given below, Applicant asks the Examiner to withdraw the rejection of these claims.

### **Independent Claim 1**

[0021] Applicant submits that Bent does not anticipate this claim because it does not show or disclose the following elements as recited in this claim, as amended (with emphasis added):

- “a **data style definition** configured to define a visual representation of the data item on a user interface, wherein the associated values of the data item properties influence the **appearance of a plurality of features of the user interface element**, wherein the data items are

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<sup>1</sup> “A claim is anticipated **only** if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); also see MPEP §2131.

<sup>2</sup> See *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

maintained independently from the data style definition, and **wherein the data item is represented as a subtree of the user interface element** and the data item properties are represented as part of the subtree;

- “a transform definition . . . **wherein the presentation characteristics . . . are integrated with the data style definition** . . . ;
- a content presenter configured to apply the data style definition to an instantiation of a display element on the user interface to display one or more of the data items according to the defined visual representation by combining the data from the data items and the information from the data style definition.”

[0022] The Examiner indicates (Action, p. 4) the following with regard to this claim:

6. Claims 1-3 and 5-47 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,463,442 to Bent et al. (art of record, “Bent”).

[0023] In this Action, the Examiner equates “data binding interfaces and protocols” (Bent, col. 7, lines 46-57) with the “bind definition” recited in this claim, as amended.

[0024] Furthermore, the Examiner equates a “format object that can be attached to the data consumer” (Bent, col. 15, lines 27-34) with a “transform definition . . . configured to generate a transformed value of [a] data item property . . .” as recited in this claim. The Examiner equate “multiple bindings” or “multiple data format objects” (Action, p. 10; Bent, col. 16, lines 3-24 and col.

19, lines 10-22) with a “subtree” as recited in claim 1, as amended. The Applicant respectfully disagrees with these characterizations or interpretations of the information disclosed in Bent.

**[0025]** A “format object” merely “dictates how the data is represented” (Bent, col. 15, line 52). Contrarily, a “transform definition” changes “how the data item **value** is displayed in [a] . . . user interface.” Further, as amended, claim 1 recites that the transform definition is “integrated with . . . [a] data style definition.”

**[0026]** A “data style definition” is an additional element or feature that was not previously found in the version of claim 1 considered by the Examiner. A “data style definition” **defines** “a visual representation of the data item on a user interface.” Because of at least this additional explicit and substantive difference from Bent, claim 1, as amended, is allowable over Bent.

**[0027]** Further, claim 1, as amended, recites another additional element or feature which was not considered by the Examiner in a previous version of this claim and which is not found in Bent. Claim 1, as amended, recites a “content presenter” which is configured to apply a “data style definition to an instantiation of a display element on the user interface” to display data items “according to the defined visual representation by combining the data from the data items and the information from the data style definition.”

**[0028]** The “content presenter” of this claim is supported at paragraph 66, *et seq.*, in the specification. After a review of Bent, the Applicant asserts that Bent does not disclose this element or feature of claim 1, as amended. Because of at least this additional substantive language in claim 1 as amended, the

Applicant asserts that this claim is allowable over Bent for at least the reason that Bent does not disclose every element or feature of this amended claim. Accordingly, for at least the reasons stated herein, the Applicant asks the Examiner to withdraw the rejection of this claim.

*Dependent Claims 5-11, and 13-14*

**[0029]** These claims ultimately depend upon independent claim 1. As discussed above, claim 1 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

**[0030]** For example, claim 13, as amended, additionally recites a data style definition that further comprises information that describes “how to display the data item property.” In addition, this claim recites a “template” and “tree assembler module.” After a thorough search of Bent, there is no disclosure of a tree, tree assembler module, or a template.

**[0031]** The Examiner equates a “standard format object” (Action, p. 10; Bent, col. 16, lines 3-24) with a “template” as recited in claim 13. The template of claim 13 “requires that part of the visual representation be obtained as a data item property value.” Thus, a template takes an additional value from some other source (e.g. from the data item property field). This template as recited in claim 13, as amended, is not the same as the standard format object of Bent because the “object” is merely “a common set of operations” that can be “made available in any manner” such as through a DLL (Bent, col. 16, lines 3-11). A value cannot



be the same as a set of operations. Thus, at least this element or feature of claim 13 is different and distinguishable from Bent. For the reason that claim 13 recites elements or features not found in the reference, Bent, claim 13, as amended, is allowable over Bent.

Independent Claim 17

[0032] Applicant submits that Bent does not anticipate this claim because it does not show or disclose the following elements as recited in this claim, as amended (with emphasis added):

- “a data programming model configured to implement a **binding definition** . . . wherein the data programming model comprises:
- “a **transform definition** developed as a logic component of the application program, the transform definition configured to generate a **transformed value of the data item property** for association with an element property of the user interface element by a binding definition . . . and
- “a **data style definition** configured to define the representation of the data item on the user interface, wherein the associated value of the data item property influences the appearance of a feature of the user interface element, wherein data items are maintained independently from the data style definition, and wherein the data item is represented as a **subtree of the user interface element** and data item properties are represented as part of the subtree.”

**[0033]** The Examiner indicates (Action, p. 11) the following with regard to this claim:

With respect to claims 17 (currently amended) and 18-31 (original), the claims are directed to a computing system that corresponds to the computer readable storage medium recited in claims 1-3, 5-8 and 10-16, respectively (see the rejection of claims 1-3, 5-8 and 10-16 above).

**[0034]** As stated above in regard to claim 1, as amended, in this Action, the Examiner equates "data binding interfaces and protocols" (Bent, col. 7, lines 46-57) with the "binding definition" recited in this claim, as amended.

**[0035]** Furthermore, the Examiner equates a "format object that can be attached to the data consumer" (Bent, col. 15, lines 27-34) with a "transform definition . . . configured to generate a transformed value of [a] data item property . . ." as recited in this claim. The Examiner equate "multiple bindings" or "multiple data format objects" (Action, p. 10; Bent, col. 16, lines 3-24 and col. 19, lines 10-22) with a "subtree" as recited in claim 17, as amended. The Applicant respectfully disagrees with these characterizations or interpretations of the information disclosed in Bent.

**[0036]** A "format object" merely "dictates how the data is represented" (Bent, col. 15, line 52). Contrarily, a "transform definition" changes "how the data item **value** is displayed in [a] . . . user interface." Further, as amended, claim 17 recites that the transform definition is "integrated with . . . [a] data style definition."

[0037] A “data style definition” is an additional element or feature that was not previously found in the version of claim 17 considered by the Examiner. A “data style definition” **defines** “a visual representation of the data item on a user interface.” Because of at least this explicit and substantive difference, claim 17, as amended, is allowable over Bent.

[0038] Further, claim 17 as amended recites another additional element or feature which was not considered by the Examiner in a previous version of this claim and which is not found in Bent. Claim 17, as amended, recites a “content presenter” which is configured to apply a “data style definition to an instantiation of a display element on the user interface” to display data items “according to the defined visual representation by combining the data from the data items and the information from the data style definition.”

[0039] The “content presenter” of this claim is supported at paragraph 66, *et seq.*, in the specification. After a review of Bent, the Applicant asserts that Bent does not disclose this element or feature of claim 17, as amended. Because of at least this additional substantive language in claim 17 as amended, the Applicant asserts that this claim is allowable over Bent for at least the reason that Bent does not disclose every element or feature of this amended claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 18-26, and 28

[0040] These claims ultimately depend upon independent claim 17. As discussed above, claim 17 is allowable. It is axiomatic that any dependent claim

which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 32

[0041] Applicant submits that Bent does not anticipate this claim because it does not show or disclose the following elements as recited in this claim, as amended (with emphasis added):

- “defining a **binding association** between an element property of a user interface element and the data item property . . .
- “developing a **transform definition** . . . configured to generate a transformed value of the data item property for association with an element property of the user interface element by a **binding definition** . . .
- “developing a **data style definition** configured to define the presentation of the data item on the user interface, wherein the associated value of the data item property influences the appearance of a feature of the user interface element . . . and wherein the data item is **represented as a subtree** of the user interface element and the data item property is represented as part of the subtree;
- “developing a **template**, wherein the template is a general form of the visual representation of the data item, wherein the template requires that part of the visual representation be obtained as a data item property value; and
- “using a **tree assembler** module comprising a style lookup module and the data bind module, wherein the data bind module locates any

style elements of the data item and binds a property of a user interface element to a data item property.”

**[0042]** The Examiner indicates (Action, p. 11) the following with regard to this claim:

With respect to claims 32 (currently amended) and 33-46 (original), the claims are directed to a method that corresponds to the computer readable storage medium recited in claims 1-3, 5-8 and 10-16, respectively (see the rejection of claims 1-3, 5-8 and 10-16 above).

**[0043]** As stated above in regard to claim 1, as amended, in this Action, the Examiner equates “data binding interfaces and protocols” (Bent, col. 7, lines 46-57) with the “binding definition” recited in this claim, as amended.

**[0044]** Furthermore, the Examiner equates a “format object that can be attached to the data consumer” (Bent, col. 15, lines 27-34) with a “transform definition . . . configured to generate a transformed value of [a] data item property . . .” as recited in this claim. The Examiner equate “multiple bindings” or “multiple data format objects” (Action, p. 10; Bent, col. 16, lines 3-24 and col. 19, lines 10-22) with a “subtree” as recited in claim 32, as amended. The Applicant respectfully disagrees with these characterizations or interpretations of the information disclosed in Bent.

**[0045]** A “format object” merely “dictates how the data is represented” (Bent, col. 15, line 52). Contrarily, a “transform definition” changes “how the data item **value** is displayed in [a] . . . user interface.” Further, as amended, claim 32 recites that the transform definition is “integrated with . . . [a] data style definition.”

[0046] A “data style definition” is an additional element or feature that was not previously found in the version of claim 32 considered by the Examiner. A “data style definition” **defines** “a visual representation of the data item on a user interface.” Because of at least this explicit and substantive difference, claim 32, as amended, is allowable over Bent.

[0047] Further, claim 32 as amended recites another additional element or feature which was not considered by the Examiner in a previous version of this claim and which is not found in Bent. Claim 32, as amended, recites a “content presenter” which is configured to apply a “data style definition to an instantiation of a display element on the user interface” to display data items “according to the defined visual representation by combining the data from the data items and the information from the data style definition.”

[0048] The “content presenter” of this claim is supported at paragraph 66, *et seq.*, in the specification. After a review of Bent, the Applicant asserts that Bent does not disclose this element or feature of claim 32, as amended. Because of at least this additional substantive language in claim 32 as amended, the Applicant asserts that this claim is allowable over Bent for at least the reason that Bent does not disclose every element or feature of this amended claim.

[0049] Further, claim 32, as amended, additionally recites a “template” and “tree assembler module.” After a thorough search of Bent, there is no disclosure of a tree, tree assembler module, or a template.

[0050] The Examiner equates a “standard format object” (Action, p. 10; Bent, col. 16, lines 3-24) with a “template” as recited in claim 32. The template of claim 32 “requires that part of the visual representation be obtained as a data

item property value.” Thus, a template takes an additional value from some other source (e.g. from the data item property field). This template as recited in claim 32, as amended, is not the same as the standard format object of Bent because the “object” is merely “a common set of operations” that can be “made available in any manner” such as through a DLL (Bent, col. 16, lines 3-11). A value cannot be the same as a set of operations. Thus, at least this element or feature of claim 32 is different and distinguishable from any element of Bent. For the reason that claim 32 recites elements or features not found in the reference, Bent, claim 32, as amended, is allowable over Bent.

[0051] Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim for at least the reasons stated herein.

*Dependent Claims 33-41, 43-47*

[0052] These claims ultimately depend upon independent claim 32. As discussed above, claim 32 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

## **Obviousness Rejections**

### **Lack of *Prima Facie* Case of Obviousness (MPEP § 2142)**

[0053] Applicant disagrees with the Examiner's obviousness rejections. Arguments presented herein point to various aspects of the record to demonstrate that all of the criteria set forth for making a prima facie case have not been met.

### **Based upon Bent**

[0054] The Examiner rejects claims 4 under 35 U.S.C. § 103(a) as being unpatentable over Bent. Applicant respectfully traverses the rejection of this claim and asks the Examiner to withdraw the rejection of claim 4.

### **Claim 4**

[0055] Applicant submits that Bent does not render this claim obvious because, as shown above in reference to claim 1, as amended, Bent does not disclose all of the elements or features of independent claim 1, as amended. In fact, the Applicant asserts that Bent does not even teach or suggest all of the elements or features of claim 1, as amended.

[0056] Claim 4 depends from claim 1, and thus contains all of the elements or features found in claim 1, as amended. Claim 4 is thus allowable over Bent for at least the reasons previously expressed in support of allowance of claim 1 over Bent.



**[0057]** The Examiner indicates (Action, p. 12) the following with regard to this claim:

Bent does not expressly disclose one-time binding wherein a user interface property is initialized from a data item property and wherein the user interface property does not update when changes are made to the data item property after the initialization.

**[0058]** In this Action, the Examiner equates not calling "dataMemberChanged" method (Action, p. 12; Bent, col. 10, lines 56-63) with the "one-time binding" and not updating the data item "when changes are made to the data item property after the initialization" as recited in claim 4.

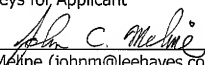
**[0059]** However, the Examiner has not remedied the deficiencies as to the elements and features of claim 1, as amended, as to claim 4 under 35 U.S.C. 103(a) in the Action, pp. 12-13. Thus, as shown above, Bent does not disclose all of the elements or features of claim 1, as amended. Accordingly, Applicant asks the Examiner to withdraw the rejection of claim 4 because it is dependent upon an allowable claim.

## **Conclusion**

[0060] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action**. Please call/email me or my assistant at your convenience.

Respectfully Submitted,

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